

## REMARKS

The Examiner, Mr. Zervigon, is thanked for the courtesy extended applicants attorney during the telephone discussion concerning amendment of the claims after final action to recite the features of the present invention, not previously considered. The Examiner indicated that the recitation of such features would in all probability raise new issues requiring further search and/or consideration, and accordingly, the RCE and accompanying amendment is submitted herewith.

By the present amendment, claims 15 and 18 have been canceled without prejudice or disclaimer of the subject matter thereof and independent claims 5 and 8 amended to clarify and recite further features of the present invention, noting that as described in connection with Fig. 5 of the drawings of this application, for example, a microwave, which is an electromagnetic wave, as well as an electromagnet 23 is utilized in conjunction with gas injected in the processing chamber to generate plasma therein, as now recited in claims 5 and 8. That is, claims 5 and 8 recite the feature of a plasma generator which generates plasma in the processing chamber by application of an electromagnetic wave inside of the processing chamber, as described at page 13, lines 1 - 7 of the specification. Additionally, claims 5 and 8 have been amended to recite the feature that the measurement window 10, as illustrated in Fig. 11, is coated with a transparent electroconductive film 26, as described in the second full paragraph of page 22 of the specification, and that as previously recited, a reflection prevention film 28 is also coated on the window. As illustrated in Fig. 11, and as described in the second paragraph at page 23, the reflection prevention film 28 is formed on the transparent electroconductive film 26 at the laser incident side. Moreover, as described in the paragraph bridging pages 22 and 23 of the specification, the electroconductive film is utilized to prevent

electromagnetic waves from leaking from the plasma generating space 13, and from influencing the sensor and the human body, the electroconductive part coating being applied with the same potential as the plasma processing apparatus. Thus, claims 5 and 8 which have been amended to recite the feature that the measurement window has a reflection prevention film and a transparent electroconductive film coated thereon and that the transparent electroconductive film enables prevention of the electromagnetic wave inside of the processing chamber from leaking out through the window and new dependent claims 20 and 21 recite the feature of same potential, as is clearly supported by the original disclosure. Further, as described, applicants submit that such features as now recited in independent claims 5 and 8, and therewith the dependent claim, are not disclosed or taught in the cited art, as will become clear from the following discussion.

The rejection of claims 5, 11, 12, 14, 16 and 17 under 35 USC 103(a) as being unpatentable over Tsukazaki et al (US 5837094 A) in view of Gupta et al (US 6125789 A), Hamelin et al (US 6951821 B2) and Nakano et al (US 20010016430 A1); and the rejection of claims 8, 9, 13, 15, 18 and 19 under 35 USC 103(a) as being unpatentable over Tsukazaki et al (US 5837094 A) in view of Gupta et al (US 6125789 A) and Nakano et al (US 20010016430 A1); such rejections are traversed insofar as they are applicable to the present claims and reconsideration and withdraw of the rejections are respectfully requested.

Applicants note that as previously pointed out in the remarks of the amendment filed May 5, 2008, the aforementioned cited art taken alone or in any combination thereof fails to provide a disclosure of teaching of the recited features of the independent and dependent claims in relation to the features of a measurement window with a reflection coating and other features. However, as is apparent from

the office action, the Examiner contends that it would be obvious to combine the art to provide such features. Irrespective of the contentions by the Examiner, applicants submit that none of Tsukazaki, Gupta, Hamelin and Nakano disclose or teach a measurement window having a reflection prevention film and a transparent electroconductive film coated thereon wherein “the transparent electroconductive film enabling prevention of the electromagnetic wave inside of the (processing) chamber from leaking out through the measurement window”, as recited in independent claims 5 and 8, as amended, nor the feature that the “transparent electroconductive film coated on the measurement window and the plasma processing apparatus have a same potential applied thereto”, as recited in new dependent claims 20 and 21. Thus, applicants submit that these features of the independent and dependent claims, which are not disclosed or taught in any of the cited art, taken alone or in any combination thereof, renders the claimed features of the independent and dependent claims to patentably distinguish over the aforementioned cited art taken alone, or in any combination thereof. Accordingly, applicants submit that all claims patentably distinguish over this cited art, and should be considered allowable thereover.

In view of the above amendments and remarks, applicants submit that all claims present in this application should be in condition for allowance, and issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 501.43537X00),  
and please credit any excess fees to such deposit account.

Respectfully submitted,

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